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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

JAMES G. STAMOS, JR., ) CIVIL NO. 1:23-cv-00138-SKO  
Plaintiff, )  
v. ) **STIPULATION AND UNOPPOSED  
MOTION TO VOLUNTARY REMAND  
PURSUANT TO SENTENCE FOUR OF  
42 U.S.C. § 405(g) AND TO ENTRY OF  
JUDGMENT; ORDER**  
KILOLO KIJAKAZI, )  
Acting Commissioner of Social Security, )  
Defendant. ) **(Doc. 17)**  
)  
)

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IT IS STIPULATED by and between Plaintiff (“Plaintiff”) and Defendant Kilolo Kijakazi, Acting Commissioner of Social Security (“Defendant”), through their undersigned counsel of record, that the above-entitled action shall be remanded to the Commissioner of Social Security for further administrative proceedings.

Upon remand, the Appeals Council will remand the case to an Administrative Law Judge (ALJ) for a new decision, and instruct the ALJ to re-evaluate the evidence of record. The ALJ will be specifically instructed to re-evaluate the opinion evidence, including the opinion of the consultative examiner, Dr. Sharma, in accordance with the regulations. The parties further

1 request that the Court direct the Clerk of the Court to enter a final judgment in favor of Plaintiff,  
2 and against Defendant, reversing the final decision of the Commissioner.

3 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the  
4 Social Security Act, 42 U.S.C. 405(g).  
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6 Dated: August 31, 2023

*/s/ Richard P. Zieman*

RICHARD P. ZIEMAN

Attorney for Plaintiff

\*Authorized via e-mail on August 30, 2023

9 PHILLIP A. TALBERT  
10 United States Attorney  
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13 By: */s/ Jessamyn Hanna* \_\_\_\_\_

JESSAMYN HANNA

Special Assistant United States Attorney  
Attorneys for Defendant

16 **ORDER**

17 Based upon the parties' Unopposed Motion and Stipulation to Voluntary Remand  
18 Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to  
19 Remand") (Doc. 17), and for cause shown, **IT IS ORDERED** that the above-captioned action is  
20 remanded to the Commissioner of Social Security for further proceedings pursuant to the fourth  
21 sentence of Section 205(g) of the Social Security Act, 42 U.S.C. 405(g).

22 The Clerk of Court shall enter a final judgment in favor of Plaintiff, and against Defendant,  
23 vacating and reversing the final decision of the Commissioner and thereafter close this case.  
24

25 IT IS SO ORDERED.

26 Dated: September 1, 2023

*/s/ Sheila K. Oberto*

27 UNITED STATES MAGISTRATE JUDGE